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## The Brief (The Spring 1970 Alumni Magazine)

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# THE BRIEF OF THE SCHOOL OF LAW

SOUTHERN  
METHODIST  
UNIVERSITY

VOL. 6, NO. 1

DALLAS, TEXAS

SPRING, 1970

## First SMU Law Chair Honors Judge Atwell

The SMU School of Law has just received its first endowed chair. Dr. Willis M. Tate, President of Southern Methodist University, and Dr. Charles O. Galvin, Dean of the Southern Methodist University School of Law, have announced the establishment of the William Hawley Atwell Chair of Constitutional Law. The Chair is being endowed by Mr. Webster Atwell and his wife, Laura Burgher Atwell, in memory of Mr. Atwell's father, the late William Hawley Atwell, United States District Judge for the Northern District of Texas for 32 years.

In making the announcement Dean Galvin said, "Judge Atwell dedicated his interesting and illustrious life to public service, and the SMU School of Law is indeed honored to perpetuate his memory through the William Hawley Atwell Chair of Constitutional Law. This Chair, which is endowed for \$600,000, is a most appropriate beginning for the Law School's participation in the SMU Capital Campaign."

The life and career of William Hawley Atwell began in Sparta, Wisconsin, where he was born in 1869. His parents, Benjamin Dodson Atwell and De Emma Hawley Atwell, moved to Mesquite, Texas, in the 1870's and a few years later they made their home in Hutchins, Texas, where William Hawley Atwell attended public school. In 1889 he graduated, with honors, from Southwestern University in Georgetown, Texas. He was admitted to the Texas Bar in 1890 and graduated from the University of Texas School of Law in 1891. While in law school he was a debater and editor-in-chief of the University Magazine.

Immediately upon graduation in 1891, Mr. Atwell opened a law office in Dallas. In 1898 he was named U.S. District Attorney, a position he held for fifteen

years. His distinguished career as a jurist began in 1923 when he was appointed by President Harding to the bench of the U.S. District Court of the Northern District of Texas. He retired from the bench in 1954, and he died at the age of 92 in December, 1961.

Judge Atwell was a distinguished man, dedicated to his family, community and country. He married Susan Snyder in 1892, and they had two sons, Snyder Atwell, now deceased, and Webster Atwell. They were all members of the Methodist Church. One of William Atwell's real loves was politics. Prior to his appointment to the bench, he received the Republican nominations for Attorney General, Lieutenant Governor and Governor of the State of Texas. His autobiography

*(Continued on page 2)*



*Judge Atwell*



*Mr. and Mrs. Webster Atwell*

'34 **Edgar D. Welch** is on the faculty of Western Illinois University and is helping establish a legal literature collection in the University's Memorial Library.

'39 **Harry H. Shuford**, Chairman of the Trust Committee and General Counsel of the First National Bank, Dallas, has been elected an officer on the executive committee of the Greater Dallas Planning Council.



Harry H. Shuford '39



Frank C. Moore '40

'40 **Frank C. Moore**, a partner in the law firm of Dalton, Moore, Forde, Joiner and Stollenwerck, has been elected president of the Dallas Bar Association for 1970.

'41 **Manuel C. DeBusk**, a partner in DeBusk and DeBusk, Dallas, has been appointed by Governor Smith to a six-year term as Chairman of the Coordinating Board of Texas Colleges and Universities.

'46 **J. Roll Fair** was appointed as Judge of the 101st District Court in October, 1969. Judge Fair practiced law in Dallas prior to his appointment.

'48 **J. C. Wagner** has moved from Fort Worth to Houston where he is vice-president of Rowan Drilling Company, Inc., 1900 Post Oak Tower, 5051 Westheimer.

'50 **Clyde R. Ashworth** of Arlington has been appointed by Governor Preston Smith as Judge of the 67th District Court in Fort Worth.

## Hearsay

*Your classmates would like to know of your activities. Please send news notes and pictures to: Dean's Office, SMU School of Law, Dallas, Texas 75222.*

'50 **William O. Braecklein**, a partner in the firm of Braecklein and Mitchell and a state representative from Dallas, has an active wife. Peggy Braecklein was chairman of the 1969 Crystal Charity Ball in December. The ball has contributed more than \$650,000 to Dallas County children's charities in the past 17 years.

'50 **Robert H. Davis**, Personnel Manager of Otis Engineering Company, has been elected President of the Carrollton Rotary Club and has been appointed to the Carrollton-Farmers Branch Independent School District School Board.

'50 **Samuel E. Daugherty**, a partner in the firm of Daugherty, Bruner, Lastelick and Anderson, has been elected a director of the Dallas Bar Association for 1970.

'50 **Harry Hopkins** is in General Civil Practice in Weatherford. He is General Counsel for the cities of Weatherford and Keller.

'52 **Louise B. Raggio**, a partner in the firm of Raggio and Raggio, was elected secretary-treasurer of the Dallas Bar Association effective January 1, 1970. She spoke on "Family Law—1970 Style," an analysis of the new law in Title I of the Family Code, at the Bar Association's Clinic meeting on December 19, 1969.

'56 **George M. Cunus** is Senior Vice-President of Hunt Oil Company, Dallas.

'56 **Sidney Stahl**, a member of the Dallas firm of Geary, Brice, Barron and Stahl, was the guest speaker in November for the first general membership meeting of the Younger Set of the Jewish Welfare Federation of Dallas.

'56 **Claude R. Wilson, Jr.**, a member of the firm of Golden, Burrow, Potts and Boeckman, Dallas, was the featured speaker at the Dallas Bar Association's Clinic Meeting on December 12, 1969. Mr. Wilson, who has had extensive experience representing both the government and taxpayers, spoke on "How to Settle a Tax Case with the IRS".

'56 **Robert A. White** has become a partner in the firm of Arnold, Roylance, Kruger and Durkee, Post Oak Tower, Houston.

'56 **Louis J. Weber, Jr.**, a partner in the firm of Bailey, Williams, Weber and Allums, has been elected administrative vice-president of the Dallas Bar Association for 1970.

'57 **Robert N. Best**, of the United States Army, has been promoted and transferred to the Contract Branch, Litigation Division, office of the Judge Advocate General, in the Pentagon.

'57 **Thomas H. Davis** is a Lt. Col. in the office of the Staff Judge Advocate in Vietnam.

'57 **Agalaia Dixie Mauzy** has a most active husband in Oscar W. Mauzy, State Senator of District 23, Dallas County. Mr. Mauzy has been named a member of a legislative committee studying the new Tort Claims Act, and he has been appointed to a legislative committee for study of the Use and Abuse of Drugs.

'57 **W. Forrest Smith**, an attorney with the Mobil Oil Corporation of Dallas, was appointed to the three-member Texas Youth Council by Governor Preston Smith in December, 1969. Mr. Smith is a founder and past president of the Richardson Parents League Association, a member of the Dallas Forum and the Dallas Chamber of Commerce.

'58 **George R. Alexander, Jr.** is vice-president of Kentucky Central Life Insurance Company, Lexington, Kentucky.

'58 **Maxine T. McConnell, Sue Goolsby '61, Annette Stewart '65, and Reba Graham Rasor '66** have been appointed to posts in the Family Law Section of the American Bar Association.

'58 **Robert H. Power**, attorney and mayor of the city of Irving, has been selected by the Texas Jaycees as one of the five most outstanding young men in Texas for 1969.



Robert H. Power '58

'58 **J. Richard Sanderson**, Vice President and Treasurer of Medical Computer Systems, Inc., Dallas, is responsible for the administration of the now publicly held company.



'59 **Marvin Collins** of Collins-Knapp and Associates, an Austin public relations firm, spoke to SMU students in the fall of 1969 on "Campaign Management."

'60 **Herbert S. Kendrick** has become a partner in the Dallas law firm of Turner, Rodgers, Winn, Scurlock and Sailors.

'60 **Robert L. Meyers, III**, has become Secretary and General Counsel of the George A. Fuller Company, Inc. The Dallas based conglomerate is one of the world's largest construction companies.

'60 **Robert R. Sanders** has been nominated for president of the State Junior Bar of Texas. Sanders, a partner in the firm of Sanders, Miller & Baker, Amarillo, has served the Association as Secretary-Treasurer in 1968-69, and vice-president in 1969-70.

'61 **James M. Dulworth** has been promoted to assistant vice-president and trust officer at the Republic National Bank of Dallas.

'61 **J. Jack Yarbrough** of Nacogdoches, Texas, was admitted to practice before the U. S. Supreme Court and the U. S. Court of Military Appeals in May, 1969.

'62 **David C. Briggs** of Cahill, Gordon, Sonnett, Reindel and Ohl will be returning in 1970 from the firm's Paris office to its New York office.

'63 **Robert M. Minshew** is a partner in the firm of Brown, Kennedy, Hill and Minshew, Sherman.

'63 **Charles O. Smyre** is an associate with Charles H. Gullett, Denison, and City Attorney for the city of Denison.

'63 **Ross Teter** is counsel and Executive Secretary of the Tournament Players Division, Professional Golfers Association of America with offices at 60 East 42nd Street, New York, New York. He married the former Miss Cynthia Ann Arnold of Shreveport, Louisiana in June, 1969.

'64 **Banker Phares**, a partner with the firm of Phares and Phares of Port Arthur, has been named assistant general counsel of the General Services Administration, Washington, D. C.

'64 **Howard V. Tygrett** and **Benjamin J. Kerr, III**, are partners in the firm of Tygrett, Chandler and Kerr, Preston State Bank Building, Dallas.

'65 **John P. Falconer, Jr.**, Chief, Claims Division, United States Air Force Judge Advocate, was reassigned to San Antonio in January, 1970. He delivered an address, "Claims Office Management Procedures," at the PACAF Judge Advocate Conference in Tokyo in October.



*Jerry M. Traver '68*

'65 **John Stephenson** and **Gerald W. Ostarch**, '67, have more in common than being associated with the firm of Branscomb, Gary, Thomasson and Hall in Corpus Christi. Both of their families were blessed with the addition of twins this past year.

'66 **H. Lawrence Feldman** and **Martin F. O'Donnell** have formed the firm of Feldman and O'Donnell and have new offices at 1960 Fidelity Union Tower Building, Dallas.

'66 **David G. Hitt** has been promoted to assistant vice-president and trust officer at the Republic National Bank of Dallas.

'67 **Richard L. Haeussler**, a Captain with U. S. Air Force, has been recently transferred from Frances E. Warren Air Force Base in Wyoming to Lajes Field, Azores, Portugal.

'67 **Frank R. Jelinek**, an associate of Philip S. Kouri, Wichita Falls, was elected by the Wichita County Bar Association to serve as a director on the Bar's Board of Directors.

'67 **Don D. Montgomery, Jr.**, and **Anne Newman Wagers** were married in Dallas in November, 1969. Mr. Montgomery has done graduate work at the University of London, England, since his graduation from the law school.

'67 **William B. Sechrest** is now associated with the firm of Akin, Vial, Hamilton, Koch and Tubbs, Dallas.

'67 **Stephen C. Thayer, Jr.**, has been named a trust officer by the Republic National Bank of Dallas.

'68 **A. Don Crowder**, a Dallas attorney, has announced his candidacy for the State House of Representatives, Place 12, Dallas County. The seat is being vacated by State Representative James W. Clark, Jr.

'68 **Peter Keane** and wife, **Nancy Ellsworth Keane**, '69, have moved to San Francisco and plan to take the California Bar exam in March 1970.



*David M. Ellis '68*

'68 **Milton E. Douglass, Jr.**, is with the U. S. Army in Vietnam. He was promoted to the rank of Captain in August, 1969. He and his wife, Susan, are the proud parents of a daughter, Kimberly Ann, born December 11, 1969.

'68 **L. E. Lawhorn** is in private practice, Suite 442, Douglas Plaza Building, Dallas.

'68 **David M. Ellis**, associated with the Dallas firm of Clark, West, Keller, Sanders and Ginsberg, is on an extended leave while a Lieutenant in the United States Navy Judge Advocate General Office, Washington, D. C.

'68 **Robert F. Mellor**, is living in Marina Del Rey, California. He has been sworn into the California State Bar as an attorney for the Union Oil Company of California.

'68 **Eugene G. Sayre** has been transferred to the U. S. Department of Justice Offices in Fort Worth.

'68 **Jerry M. Traver** became vice president and trust officer of the Fort Worth Bank of Commerce in November, 1969. A daughter was born to him and his wife on July 16, 1969.

'68 **Paul Van Slyke** is an associate with the firm of Arnold, Roylance, Kruger and Durkee, Post Oak Tower, Houston.

'68 **Robert N. Virden** became associated with the Fort Worth firm of Stone, Tilley, Parker, Snakard, Law and Brown on October 1, 1969. His article entitled, "Competition in the Natural Gas Transmission Industry," appears in 84 *Public Utilities Fortnightly* (1969).

'68 **Joan T. Winn** of Dallas was honored in August, 1969, at a community recognition service in White Rock for her outstanding achievements. Mrs. Winn, an honor graduate of Dillard University, New Orleans, Louisiana, and a teacher in the Peace Corps before entering law school, is the first Negro woman to practice in Dallas.

*(Continued on page 8)*



David W. Purcell

## Purcell Appointed Associate Dean

David W. Purcell, Assistant Dean and Director of Development at the SMU School of Law since 1967, has been appointed Associate Dean and Executive Director of Continuing Legal Education and Law School Development.

His new responsibilities will be administering the continuing legal education program with the Practising Law Institute of New York City and directing the law school's capital campaign during the next five years.

Mr. Purcell is a graduate of Denison University in Granville, Ohio, where he was elected to Phi Beta Kappa. He also holds the Doctor of Jurisprudence degree, with honors, from the University of Texas School of Law, where he was an editor of the *Texas Law Review*. Before joining the SMU Law School staff, he practiced law in Midland and served on the administrative staff of Union College in Schenectady, New York.

## Dean Galvin Serves On Tax Committee

Dean Charles O. Galvin is one of 15 persons appointed to a newly created advisory committee on tax exempt organizations. Dean Galvin, who is also chairman of the American Bar Association's Committee on substantive tax reform, has recently co-authored, *The Income Tax: How Progressive Should It Be?*

As a member of the advisory committee Dean Galvin will serve as a consultant without compensation to review problems in charting the outer limitations of such broad, general terms mentioned in tax law as religious, educational, charitable and political activity.

## Continuing Education Program Under Way

Dean Charles O. Galvin announced in December, 1969, that the Southern Methodist University School of Law and the Practising Law Institute of New York City would, beginning in January, 1970, co-sponsor a continuing legal education program on the SMU campus. The program will consist of a series of institutes, short courses and workshops. Dean Galvin stated he was pleased the School of Law would be a partner in this joint venture, "for we have always believed that education must be an ongoing process, particularly in the legal field where the specific content of an attorney's practice evolves after he has graduated from Law School."

E. Donald Shapiro, Director of the Practising Law Institute, cited the jointly-sponsored programs as presenting "a unique opportunity to reach a large segment of the legal community to whom continuing legal education can be of daily benefit."

Practising Law Institute, the nation's oldest and largest continuing legal education organization, is a non-profit institution chartered by the Board of Regents of the State of New York. It currently offers over 200 programs annually throughout the United States and abroad, and publishes over 100 books on subjects of legal interest each year. Other PLI regional locations offering programs include New York City, Chicago and Las Vegas.

The Faculty of the Law School will work together with the Practising Law Institute's professional staff to develop a full range of programs of the highest caliber. Speakers on the co-sponsored programs will be drawn from the best talent available in the nation, and each program will also include lawyers from Texas or other Southwestern states who are familiar with local-law variations on the subjects being presented. There will also be an emphasis on programs dealing with non-traditional subjects whereby the legal problems of a particular transaction or of a specific industry will be explored.

The first SMU-PLI program was a two-day seminar on Professional Corporations, held January 30-31, 1970, at Karcher Auditorium on the SMU campus.

Additional programs already scheduled include: Pollution and Industrial Wastes—Legal Liabilities and Solutions, March

6-7, 1970; Second Annual Criminal Advocacy Institute, April 3-4, 1970; Tax Reform Act of 1969, April 17, 1970; Business and Legal Problems of Shopping Centers, April 24-25, 1970; Land Acquisition and Assembly, May 7-8, 1970; and the First Annual Estate Planning Institute, July 9-10, 1970.

Brochures with additional information on the programs scheduled for this spring and summer are available. Anyone desiring this material or other information should contact Associate Dean David Purcell, Executive Director of Continuing Legal Education, SMU School of Law.

## Program Scheduled On Dangerous Drugs

The forthcoming Short Course on Drug Abuse, which was featured in the winter issue of *The Brief*, has been receiving increased financial support from both the private and public sectors during the past few months. The objectives of the program are to provide education as to the problems of dangerous drugs and drug abuse; to stimulate the development of innovative solutions to those problems; to compile available resource material on drug abuse; and to publish articles and video tape proceedings which will be of value to the public as well as the professional agencies participating.

A topical schedule is as follows:

Wednesday, April 8, 1970

9:00 a.m. *Nature of the Problem—Scientific and Practical Views*

1:30 p.m. *Regulation of the Industry*

Thursday, April 9, 1970

9:00 a.m. *Legislation and Enforcement*

1:30 p.m. *Punishment and Rehabilitation*

Friday, April 10, 1970

9:00 a.m. *Education—The Prevention of Drug Abuse*

2:00 p.m. *Education—Approach to the Prevention of Drug Abuse*

Among the distinguished list of speakers and leaders confirmed for the program are The Honorable Charles E. Wiggins, U.S. Representative, California; The Honorable Will Wilson, Assistant Attorney General, Criminal Division, Department of Justice; The Honorable John W. Dean, III, Associate Deputy General, Department of Justice.



Dean Charles S. Potts



Mrs. Ada Garrison Potts

## Potts Challenge Grant Ignites Fund

As a result of the Potts Memorial Challenge Grant the 14th Annual Law School Fund is well on the way to being a resounding success. The totals, as of December 31, 1969, were:

Alumni Contributing	471
Percentage of Alumni	20%
Alumni Gifts	38,617.04
Average Gift	81.98
Friends Contributing	93
Friends Gifts	26,135.00
Total Contributions	\$64,752.04

The above figures are the result of much work by the individuals comprising

this year's Law School Fund team. They have raised over half of the \$120,000 goal. The average gift is high enough to qualify for the entire \$20,000 Charles S. Potts Memorial Challenge Grant, and the number of contributors has increased to a level whereby the goal of 40% participation is attainable.

It is anticipated that the efforts of the past six months will continue during the spring. Consequently, it is not premature to thank all alumni and friends who have given of their time and money to insure the success of this year's fund.

## Hearsay

(Continued from page 5)

'69 **Peter Franklin** is a clerk with the Honorable James Noel, U. S. District Judge, United States District Court, Southern District of Texas.

'69 **Jeffrey L. Futter** is on active duty in the Army Reserves in New York City. He was in Fort Polk, Louisiana for Basic Training.

'69 **Gregory C. Horsley** went into association with C. W. Grantham in July, 1969, to form the firm of Grantham and Horsley.

'69 **Audie Long** is an associate with the Dallas firm of Harrison, Curtis and Cooper.

'69 **Gerald Joe Ford** and Lucy Bennett Anderson were married in Waco in November, 1969. The couple now reside at 4108 University in Dallas.

'69 **John D. Ellis, Jr.**, passed the Texas State Bar and is now a Captain with the Office of the Staff Advocate in Frankfurt, Germany. On July 5, 1969 he married the former Miss Vivian Catherine Gragg (SMU B.S. '69) in her home town of Memphis, Tennessee. Their address is office of the Staff Judge Advocate, Hq. 3rd Armored Div., U.S. Army, A.P.O. New York 09039.

'69 **Tom Farris** is an associate with the firm of McDonald, Sanders, Wynn, Ginsberg, Phillips and Maddox, Fort Worth.

'69 **Frederick W. Marsh, Jr.** is an associate engaged in general corporate and securities practice with the Dallas firm of Locke, Purnell, Boren, Laney and Neely.

## Max Jones Named Assistant Dean

Max K. Jones has been appointed by Dean Charles O. Galvin as Assistant Dean and Director of Development. Mr. Jones, with the promotion of David Purcell, has assumed responsibilities for editing *The Brief*, directing the Law School Fund, handling public affairs and administering the placement program.

Mr. Jones received his Bachelor of Arts degree from Texas Christian University, where he was President of his Senior Class, and his Bachelor of Divinity professional degree from Yale University, where he was an editor of *Signs and Times*. Prior to joining the staff of the SMU School of Law in September, 1969, Mr. Jones was Regional Director of a social service agency, Joint Action in Community Service, in Austin, Texas, and the Director of Public Affairs for an education and economic development program, the Home Education Livelihood Program, in New Mexico.

## Miss Turbeville Attends Conference

Miss Hibernia Turbeville, Law Librarian of Southern Methodist University, attended the joint meeting of the Southeastern Chapter of American Association of Law Schools and Libraries in New Orleans on August 25, 1969. She lead a panel discussion on the new Classification project for Law developed by the Library of Congress. Miss Turbeville is on the Liaison Committee of the American Association of Law Libraries and the Library of Congress, and she has served on the Joint Committee of the American Association of Law Libraries, which has recently established a new set of standards for University Law Libraries.



Frederick W. Marsh, Jr. '69



## Faculty Members Work On Family Code Project

Beginning in December, 1964, members of the faculty of the SMU School of Law have been involved in revising the Texas family law. The involvement of these scholars makes this the most extensive law reform ever undertaken by the SMU Law School.

Initially, Professor Joseph W. McKnight and Professor Eugene L. Smith were involved in a revision of the Texas family property laws. Then, in the spring of 1965, the officers of the Family Law Section of the State Bar of Texas requested that Professors McKnight and Smith assist the Family Law Section in undertaking a systematic recodification of the Matrimonial Property Law (Title 75). Assistance was also given by the faculties of the law schools at The University of Texas and Baylor University.

The work to revise Title 75 was expanded into the Family Code Project in the Summer of 1966, as a result of equal grants from the Hoblitzelle Foundation and The Moody Foundation. The first major recommendation of the Family Code Project was enacted into law as the Matrimonial Property Act of 1967. This was the first general overhaul of this branch of law since 1925 and its House sponsor called it, "the best drafted major bill introduced in the legislature during my tenure."

After the 1967 legislative session, the

Family Code Project undertook a complete overhaul, reform and recodification of the Texas law of husband and wife. Professor Reba G. Rasor, Professor McKnight and Professor Smith worked diligently with the project and the Family Law Section of the Bar in drafting statutes on the law of marriage, annulment, divorce, capacity and family property. They were assisted by law school faculty members from Baylor University, the University of Houston, the University of Texas and Texas Technological University. At the 1969 regular session of the Legislature this work was rewarded with the enactment into law of the Texas Family Code (Title 1).

Title 2 of the Family Code, which is now in the course of preparation, will concern itself with children. The new title will cover child support and custody, suits to establish paternity, adoption, termination of parental rights and juvenile delinquency. Joining Professors McKnight, Smith and Rasor, to work on Title 2 of the Family Code, is Professor Walter W. Steele, Jr. of the SMU School of Law, as well as members of other law faculties.

The preparation of the entire new Family Code is due by October, 1970, and it will be presented to the Texas State Legislature or Bar sponsored legislature at the 1971 regular session.

## Memorials

'36 **Herbert L. Tuchin**, noted Fort Worth attorney and religious leader, died July 4, 1969.

Mr. Tuchin was born June 18, 1910, in Russia, but moved at an early age to Chicago where he attended public schools and DePaul University. Upon graduating from Southern Methodist Law School in 1936, Mr. Tuchin practiced law in Breckenridge before setting up a practice in Fort Worth in 1939.

At the time of his death, Mr. Tuchin was on the finance committee of the Jewish Federation, of which he had served as president in 1965. He was also on the budget committee of the Fort Worth United Fund and the board of Directors of Golden Acres Home for the Jewish aged in Dallas. He was president of Temple Beth-El Congregation in 1950-51.

Mr. Tuchin is survived by his wife, Lila Tuchin, of 4320 Bellaire Drive South, Apt. 130 in Fort Worth; a son, Michael Letwin Tuchin of Fort Worth; two daughters, Mrs. Sandra Rosenberg of Oak Park, Michigan and Mrs. Melody Belz of Memphis, Tennessee; and a brother, Joseph L. Tuchin of San Diego, California.

**RALPH D. BAKER**

passed away

January 20, 1970

A memorial will be  
published in the next  
issue of *The Brief*

**THE BRIEF**  
OF THE SCHOOL OF LAW

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